

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

No. 1:20-cr-183

vs.

Hon. Robert J. Jonker  
Chief United States District Judge

DANIEL JOSEPH HARRIS,  
Defendant.

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**UNOPPOSED MOTION TO MODIFY PROTECTIVE ORDER**

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NOW COMES the Defendant, Daniel Harris, by and through his attorney, Julia A. Kelly, and moves to modify the protective order entered in this matter at ECF # 107, PageID 615-616, and in support states as follows:

1. Mr. Harris finds himself in the same situation as Mr. Croft and Mr. Caserta as it relates to Mr. Harris' ability to review the discovery in this matter. Below is a replication of Mr. Croft's Unopposed Motion to Modify Protective Order (ECF # 174, PageID 982-983) and proposed Modified Protective Order (ECF # 174-1, PageID 984-985).
2. This Court granted the Government's unopposed Motion for Protective Order on December 18, 2020. At the time that the protective order was granted, the scope and nature of the discovery to be produced was not fully clear to the defense. Since entry of the protective order, the Government has produced hundreds of hours of audio and video recordings and tens of thousands of pages of written discovery.

3. In order to prepare for trial, Mr. Harris wishes to review these items of discovery. The current protective order provides that defense counsel cannot leave “unredacted copies of discovery material” with Mr. Harris while he is detained in pretrial custody. (Protective Order, ECF No. 107, PageID 615).
4. Due to the voluminous discovery involved, counsel wishes to provide a laptop computer with an encrypted copy of the discovery to Mr. Harris for his review while in pretrial detention. Counsel has discussed this with the United States Marshal and the Newaygo County Jail which are both willing and able to accommodate the request. This approach will be most efficient and will save the United States taxpayers may thousands of dollars that would be required if counsel had to display each item of discovery to Mr. Harris.
5. This Court has the authority to modify a protective order at any time. *See* Fed. R. Crim. P. 16(d)(1). Additionally, undersigned counsel has discussed this matter with counsel for the United States and they do not oppose the proposed modified protective order.

WHEREFORE, the Defendant, Mr. Harris, respectfully requests the Court enter the proposed modified protective order permitting him to possess the discovery materials in pretrial custody subject to the restrictions in the proposed order.

Dated: May 7, 2021

Respectfully submitted:  
WILLEY & CHAMBERLAIN LLP  
Attorneys for Defendant

s/Julia A. Kelly

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